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9

Application Number 10/797,748

Filing Date 03/09/2004

First Named Inventor Roger A. Acey

Art Unit 1653

Examiner Name Robert A. Wax

Attorney Docket Number 51302-00002

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☒ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation☐ Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD

Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Preston Gates & Ellis LLP

Signature

Louis C. Cullman

Printed name

Louis C. Cullman

Date

1/25/05

Reg. No.

39,645

CERTIFICATE OF TRANSMISSION/MAILING

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Maria Nadal

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Date

1/25/05

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Maria Nadal

Maria Nadal

PATENT

Applicant: Roger A. Acey

Serial No.: 10/797,748

Filed: 03/09/2004

Title: Metal Binding Proteins and Associated Methods

Examiner: Robert A. Wax

Group Art Unit: 1653

Atty Docket No.: 51302-00002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT AND
PRELIMINARY AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant submits the following Preliminary Amendment and Remarks in Response to the Office Action dated January 14, 2005 in the above referenced patent application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.